

रजिस्टर्ड नं० वी०/एस० एम० 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, 6 अप्रैल, 1979/16 चैत्र, 1901

हिमाचल प्रदेश सरकार

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-2, the 30th March, 1979

No. 9-12/72-PW(B).—In exercise of the powers conferred by section 87 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) the Governor, Himachal Pradesh is pleased to make the Himachal Pradesh Town and Country Planning Rules, 1978, the same having been previously published in the Himachal Pradesh Government

Gazette under sub-section (i) of section 87 of the said Act, as under:—

THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING RULES, 1978

CHAPTER I PRELIMINARY

Short title 1. (1) These rules may be called the Himachal Pradesh Town and Country Planning Rules, 1978.
(2) These shall come into force at once.

Definitions 2. (1) In these rules, unless the context otherwise requires,—
(a) “Act” means the Himachal Pradesh Town and Country Planning Act, 1977;
(b) “approved development plan” means a plan prepared under the Act and duly approved by the State Government;
(c) “authority” means the Town and Country Development Authority or Special Area Development Authority, constituted under the Act;
(d) “Chief Executive Officer” means the Chief Executive Officer of the Authority;
(e) “form” means a form appended to these rules;
(f) “section” means a section of the Act;
(g) “Secretary” means the Secretary of the authority.

12 of 1977

(2) The words and expressions which have not been defined in these rules, but are defined in the Act, shall have the meanings as have been assigned to them in the Act.

CHAPTER II

REGIONAL PLANNING

Form of notice. 3. The notice with respect to the draft regional plan to be published under sub-section (1) of section 8 shall be in form-I.

Section 8(1)
Section 87
(2)(ii).

Manner of publication of notice. 4. The notice prescribed by rule 3 shall be published in the Rajpatra, Himachal Pradesh and shall further be published by means of an advertisement in one or more newspapers in circulation within the area of the region. A copy of the notice shall also be pasted at the offices of Town and Country Planning Organisation and its concerned regional offices.

Section 8(1)
Section 87
2 (ii).

Manner of publication of regional plan. 5. The notice under sub-section (2) of section 9 shall be in form-II and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers in circulation within the area of the region. A copy of the notice shall also be pasted at the offices of the Town and Country Planning Organisation and its concerned regional offices.

Section 9(2)
Section 87
2 (iii).

Notice of modifications in regional plan. 6. Notice of modifications in the regional plan to be published in the Rajpatra, Himachal Pradesh under the proviso to sub-section (2) of section 9 shall be in form-III.

Section 9(2)
Section 87
2 (iii).

CHAPTER III

PLANNING AREAS AND DEVELOPMENT PLANS

Manner of publication of existing land-use map. 7. The notice of preparation of the existing land-use map under sub-section (1) of section 15 shall be given in form-IV by publishing the said notice in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation within the planning area.

Section 15
(1)
Section 87
2(iv).

Section 17
Section 87
(2) (xxiii).

8. The interim development plan, as approved under sub-section (4) of section 17, shall be published in the Rajpatra, Himachal Pradesh under sub-section (5) of the said section in form-V and the notice of such publication shall be in form-VI.

Manner of publication of approved interim development plan.

Section 19
(1)
Section 87
(2) (vi).

9. A copy of the draft development plan, as prepared under section 18, shall be made available for public inspection during office hours at the offices of Director, Town and Country Planning Organisation, Himachal Pradesh Town and Country Development Authority and the Local Authorities concerned for inviting the public objections/suggestions under sub-section (1) of section 19. The notice of the preparation of the draft development plan under section 18, and of making them available for public inspection under sub-section (1) of section 19 shall be in form-VII and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers, having circulation in the planning area.

Manner of publication of draft development plan.

10. (1) Where the State Government approves the development plan with modifications, the notice to be published in the Rajpatra, Himachal Pradesh under sub-section (2) of section 20 shall be in form-VIII.

Manner of publication of approved development plan.

Section 20
(4)
Section 87
(2) (vii).

(2) A public notice shall be published under sub-section (1) of section 20 in form-IX in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the planning area, to give it due publicity intimating that the development plan has been approved without any modifications under sub-section (1) of section 20 or with modifications under sub-section (3) of section 20, as the case may be, by the State Government and shall be available for inspection during office hours at the offices of Director Town and Country Planning Organisation, the Town and Country Development Authority, if any and Local Authority concerned.

CHAPTER IV

CONTROL OF DEVELOPMENT AND USE OF LAND

Section 28
(1)
Section 87
(2) (viii).

11. The intimation regarding the intention to carry out any development on any land, as envisaged under sub-section (1) of section 28 shall be accompanied by following documents and particulars namely:—

Intension of development undertaken on behalf of Union or State Government.

- (i) description of land (location with name of road/roads) on/of which the property and boundaries abuts;
- (ii) Khasra plan (in the minimum scale 1:4000) showing numbers of land in question and also adjoining khasra falling within 200 metres from the outer limits of the land. The land applied for shall be shown in 'Red' in khasra map;
- (iii) location plan indicating the land in question to the minimum scale of 1:1000 showing main approach roads and any other important building(s) in the vicinity;
- (iv) survey plan to a minimum scale of 1:1000 showing the boundaries of land in question, natural features like nullah, ponds, trees, slopes, contours if the land is undulated, high tension lines passing through or adjoining land upto a distance of 200 metres, existing roads showing the right of way and railway lines with their specification and railway boundaries, position of electric and telephone poles and all such other matters which need to be co-ordinated with the adjoining areas;
- (v) a plan showing all development proposals with respect to land in question with a general report and model so as to make scheme self explanatory;

8. The interim development plan, as approved under sub-section (4) of section 17, shall be published in the Rajpatra, Himachal Pradesh under sub-section (5) of the said section in form-V and the notice of such publication shall be in form-VI.

Manner of publication of approved interim development plan.

9. A copy of the draft development plan, as prepared under section 18, shall be made available for public inspection during office hours at the offices of Director, Town and Country Planning Organisation, Himachal Pradesh Town and Country Development Authority and the Local Authorities concerned for inviting the public objections/suggestions under sub-section (1) of section 19. The notice of the preparation of the draft development plan under section 18, and of making them available for public inspection under sub-section (1) of section 19 shall be in form-VII and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers, having circulation in the planning area.

Manner of publication of draft development plan.

10. (1) Where the State Government approves the development plan with modifications, the notice to be published in the Rajpatra, Himachal Pradesh under sub-section (2) of section 20 shall be in form-VIII.

Manner of publication of approved development plan.

(2) A public notice shall be published under sub-section (1) of section 20 in form-IX in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the planning area, to give it due publicity intimating that the development plan has been approved without any modifications under sub-section (1) of section 20 or with modifications under sub-section (3) of section 20, as the case may be, by the State Government and shall be available for inspection during office hours at the offices of Director Town and Country Planning Organisation, the Town and Country Development Authority, if any and Local Authority concerned.

CHAPTER IV

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11. The intimation regarding the intention to carry out any development on any land, as envisaged under sub-section (1) of section 28 shall be accompanied by following documents and particulars namely:—

Intension of development undertaken on behalf of Union or State Government.

- (i) description of land (location with name of road/roads) on/of which the property and boundaries abuts;
- (ii) Khasra plan (in the minimum scale 1:4000) showing numbers of land in question and also adjoining khasra falling with 200 metres from the outer limit's of the land. The land applied for shall be shown in 'Red' in khasra map;
- (iii) location plan indicating the land in question to the minimum scale of 1:1000 showing main approach roads and any other important building(s) in the vicinity;
- (iv) survey plan to a minimum scale of 1:1000 showing the boundaries of land in question, natural features like nullah, ponds, trees, slopes, contours if the land is undulated, high tension lines passing through or adjoining land upto a distance of 200 metres, existing roads showing the right of way and railway lines with their specification and railway boundaries, position of electric and telephone poles and all such other matters which need to be co-ordinated with the adjoining areas;
- (v) a plan showing all development proposals with respect to land in question with a general report and model so as to make scheme self explanatory;

- (vi) a plan showing details of utilities and services like water supply, drainage, electric and in case a septic tank is provided the same shall be shown along with the disposal of sludge water;
- (vii) a note indicating the type of development proposed namely residential, commercial or industrial;
- (viii) the name and address of registered Architect/Planner; and
- (ix) other architectural details as required by the Director.

Form of application for permission for development of land by others.

12. (1) Any person not being the Union Government, State Government, a local authority or any other Authority constituted under the Act, shall apply under sub-section (1) of section 30 in form-XI for development of land along with the schedule and specifications sheet attached with the application form.

Section 30
(1)&(2)
Section 87
(2)(iv).

(2) *Fees*.—Every application submitted under sub-section (1) of section 30 shall be accompanied by a fee specified below:—

(a) For the development of land other than erection of a building or part thereof. Rs. 50/- per acre

(b) For building operation:

S. No.	Area	Rate of fee for ground floor	Rate of fee for subsequent storey
1.	For a ground floor area upto 1200 sq. ft. (365.760 sq. m.)	Rs. 20/-	Rs. 15/- per storey.
2.	For a ground floor area of more than 1200 sq. ft. (365.760 sq. m.) but not exceeding 3000 sq. ft. (914.400 sq. m.)	Rs. 25/-	Rs. 20/- per storey.
3.	For a ground floor area of more than 3000 sq. ft. (914.400 sq. m.) but not exceeding 6000 sq. ft. (1828.800 sq. m.)	Rs. 50/-	Rs. 40/- per storey.
4.	For a ground floor area more than 6000 sq. ft. (1828.800 sq.m.) and above	Rs. 75/-	Rs. 50/- per storey.

Note 1.—For purpose of calculation of fee, ground floor area shall mean the area of the portion which is proposed to be built upon excluding the internal courtyard and portion.

Note 2.—For purposes of the rates prescribed above the basement where provided will be regarded as the first storey, the ground floor over the basement as the second storey and so on.

Note 3.—In case an application is rejected 15 per cent of the fee shall be retained and the balance shall be refunded to the applicant(s).

Form of permission.

13. The permission for development of land shall be granted and communicated to the person(s) concerned under sub-section (3) of section 31 in Form-XII and copies thereof shall be sent to the local authorities concerned, Town and Country Development Authority or Special Area Development Authority concerned and any other office concerned with the development works along with the copy of the approved plan. The plan shall be

Section 31
(3)
Section 87
(2)(x).

approved and signed by the Director, modifications, if any, shall be shown in red lines and two copies of approved plan shall be sent to the applicant(s). In case the modifications are excessive, a fresh plan shall be demanded incorporating the revised plan showing all the modifications communicated by the Director.

Section 31
(4)
Section
87(2) (xi).

14. Every order passed under sub-section (2) of section 31 granting permission with or without conditions or refusal of permission with grounds shall be communicated in Form-XII and XIII. Such order shall either be handed over to the applicant(s) if he/they is/are present and his/their acknowledgement shall be obtained. In case he/they is/are not present, such reply shall be sent to him/them under registered post.

Manner of communication of order under sub-section (4) of section 31.

Section 32
Section
87(2) (xii).

15. (1) The appeal shall be preferred under sub-section (1) of section 32 in writing in the following manner, namely:—

Appeal.

- (i) It shall specify the date of order against which the appeal is made. A copy of the order thereof shall be attached.
- (ii) It shall specify a clear statement of facts and the grounds on which the appeal is made.
- (iii) It shall specify precisely the relief prayed for.
- (iv) It shall contain the following verification certificate duly signed by the applicant(s):—

“I.....do hereby declare that the fact and contents stated above are true to the best of my knowledge and belief.”

(2) The appeal under sub-rule (1) shall be accompanied by a fee of Rs. 5.00 through Treasury Challan.

Section 35
Section
87(2) (xiii).

16. The notice shall be served on the State Government under sub-section (1) of section 35 in Form-XIV so as to reach it within a period of 60 days from the date of publication and designation of land as subject to compulsory acquisition by the development plan together with documentary proof of ownership, location, plan and site plan.

Notice by owner to purchase interest in land.

Section 37
(1)
Section
87 (2)(xiii).

17. Every order of revocation and modification of permission to development passed under sub-section (1) of section 37 shall be communicated in Form-XV and shall be handed over to the owner(s) if he/they is/are present and his/their acknowledgement shall be obtained. In case he/they is/are not present such order shall be sent to him/them under registered post.

Manner of communication of revocation and modification of permission to development.

Section 37
(2)
Section 87
(2) (xiv).

18. (1) Every claim under sub-section (2) of section 37 of the Act shall be made to the Town and Country Development Authority or the Special Area Development Authority within 90 days from the date of the service of the order of revocation or modification.

The manner in which amount in lieu of expenditure incurred after the grant of permission may be assessed under section 37 (1).

(2) The claim shall be made in writing supported by details of expenditure incurred in carrying out development according to the permission granted, and a further detailed estimate of such of the expenditure as has been rendered abortive because of the order of revocation or modification of permission originally granted both being prepared by a Registered Planner/Architect. A certified copy of the commencement certificate under which permission for development was originally granted shall accompany

such claim. The Town and Country Development Authority or the Special Area Development Authority, as the case may be, shall forward such claim to the Town Planning Officer who after giving the owner(s) reasonable opportunity of being heard, shall send his report to the Town and Country Development Authority or Special Area Development Authority as the case may be. The Town and Country Development Authority or Special Area Development Authority, as the case may be, after considering the report of the Town Planning Officer shall assess and award, subject to provision of section 11, such amount to the owner(s) as it thinks fit.

(3) The notice of refusal to accept the amount offered by the Town and Country Development Authority or the Special Area Development Authority, as the case may be, shall be given by the owner(s) within thirty days from the date of receipt of the offer.

(4) Every order regarding claims preferred by the owners and passed under sub-section (2) of section 37 shall be communicated in Form-XVI and shall be handed over to the owner(s) if he/they is/are present and his/their acknowledgement shall be obtained. In case he/they is/are not present such order shall be sent to him/them under registered post.

Permission
for retention
of land.

19. The application under sub-section (3) of section 39 shall be in Form-XVII.

Section 39
(3)
Section 87
(2) (xv),
Section 52
Section 87
(2) (xvi),
(xvii), (xviii),

Preparation
of town de-
velopment
scheme.

20. The Town and Country Development Authority shall publish a notice under sub-section (2) of section 52 in Form-XVIII declaring the intention of making a town development scheme in the Rajpatra, Himachal Pradesh and by means of an advertisement in one or more newspapers having circulation in the locality. Copies thereof shall also be made available for inspection in the office of the Town and Country Development Authority.

(2) Notice under sub-section (3) and sub-section (7) of section 52 shall be in Form-XIX and Form-XX respectively and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the locality.

Acquisition
of land.

21. The land acquired by the State Government under section 58 shall vest in the Town and Country Development Authority on the following terms and conditions:—

Section 58
Section 87
(2) (xix),

(i) The powers of the Authority with respect to the disposal of the land acquired shall be so exercised so as to secure, as far as practicable, to the person(s) who are living or carrying on business or other activities on the land if they desire to obtain accommodation on the land belonging to the Town and Country Development Authority concerned and are willing to comply with any requirement of the Authority as to its development and rules in operation to obtain thereon accommodation suitable to their reasonable requirement.

(ii) If the Town and Country Development Authority concerned proposes to dispose off any land, without any development having been undertaken or carried out thereon, it shall transfer the land in the first instance to the persons from whom it was acquired if they desire to purchase it at such price as may be fixed by the State Government.

- (iii) The Town and Country Development Authority shall not dispose off any land by way of gift, mortgage or any other like means.
- (iv) The Town and Country Development Authority may dispose off any land on lease-hold basis only.
- (v) The Town and Country Development Authority shall pay the amount to the Government which has been awarded to the owner(s) of any land by the Government.
- (vi) The Town and Country Development Authority shall pay other charges to the Government which has been incurred by the State Government in connection with the acquisition.
- (vii) The Town and Country Development Authority shall execute an agreement with the Government for transfer of the acquired land.

Section 62
Section 87
(2) (xx).

22. (1) Notice of intention to levy development charges under sub-section (1) of section 62 shall be in form-XXI and shall be published in the Rajpatra, Himachal Pradesh and in one or more newspapers having circulation in the area. Copies of the said notice shall also be affixed in the concerned offices of the Town and Country Development Authority.

Mode of
levy.

(2) Notice under sub-section (4) of section 62 for the assessment of development charges shall be in form-XXII.

23. The Town and Country Development Authority may borrow money under section 65 subject to the following terms and conditions, namely:—

Power to
borrow
money.

- (i) The Town and Country Development Authority may with the prior sanction of the State Government borrow money by issuing debentures for the purpose of the Act.
- (ii) The amount of money to be borrowed by issue of debentures, the issue price of debentures and terms of maturity shall be determined by the authority with the prior approval of the Government.
- (iii) The rate of interest which debentures would carry shall be such as may be fixed by the State Government.
- (iv) No debentures shall be issued, except with the guarantee by the State Government as to the repayment of principal and payment of interest.
- (v) A sinking fund shall be constituted for the redemption of debentures and in case of any failure on this account, an immediate report with reasons for such failure shall be made to the State Government. The authority shall be bound by such directions as may be issued by the Government in this behalf.
- (vi) Debentures shall be negotiable by endorsement and delivery.
- (vii) The Authority may with the sanction of the State Government reserve the debenture bond for issuing to any particular person or institution or have the debenture(s) under-written.
- (viii) Brokerage and under-writing commission at such rate as may be fixed by the Authority from time to time shall be paid to Banks, brokers and others on their applications and also on applications received through them bearing their seal.
- (ix) Applications for the issue of debenture(s) shall be made to the Authority in form-XXIII.
- (x) Subscriptions to the debentures may be made by cheques or demand drafts drawn in favour of the Town and Country Development Authority.

- (xi) If the subscriptions exceed the total amount of the debentures issued, partial allotment may be made and the balance of the sum paid at the time of applications shall be refunded as soon as possible. No interest shall be paid on the amount so refunded. The authority may, reserve the right to retain the subscriptions received upto ten per cent in excess of the sum floated.
- (xii) The debentures shall be issued in the denomination of Rs. 100, Rs. 500, Rs. 1000, Rs. 5,000, Rs. 25,000, Rs. 50,000, Rs. 1,00,000 and Rs. 5,00,000.
- (xiii) The interest on debentures shall be paid half yearly. The interest is subject to the payment of income-tax.
- (xiv) The debentures shall be redeemable on dates noted therein and the holder(s) shall have no claim(s) upon the Authority for the interest accruing after the expiry of the term.
- (xv) Debentures which by reasons of damage sustained have become unfit for circulation shall be replaced at the request of the holder(s) on surrendering the damaged or defaced debentures; provided that the essential marks for genuineness and identity such as the number, the amount, the rate of interest, the date and signature of the Chairman and the member of the authority are still recognizable. Fresh debentures shall also be issued to replace the lost or destroyed debentures when in the opinion of the Authority the fact of destruction is proved beyond doubt. When such proof is not produced or when in case of damage the essential marks on the debentures are lost and are no longer recognizable or the debenture has been lost or has been mislead, a new debenture may be issued only after the debenture which is alleged to be missing or unrecognizable has been advertised by the claimant and in the manner specified by the Authority and is not claimed by any other person.
- (xvi) The re-issue of the debenture shall be made for the same amount under the same number with the addition of the word "Renewed". A fee of rupees ten shall be charged for every renewed debenture to be issued.

Terms and conditions subject to which loans may be raised by the Special Area development Authority.

24. The Special Area Development Authority may for the purpose of the Act, raise loans under sub-section (3) of section 72, in pursuance of a resolution passed at a special meeting convened for the purpose:

Section 72
(3)
Section 87
(2) (xxii).

Provided that:—

- (i) no loan shall be raised without the prior sanction of the State Government; and
- (ii) the terms upon, the period within, and the method by which, the loan is to be raised and repaid shall be subject to these rules and the approval of the State Government.

(2) The Special Area Development Authority shall maintain a sinking fund for the repayment of loans raised under sub-rule (1) and shall pay every year in the sinking funds such as may be sufficient for repayment within the period fixed for all loans so raised.

(3) The sinking fund or any part thereof shall be applied in or towards, the discharge of the loan for which such fund was operated and until such loan is wholly discharged, it shall not be applied for any other purpose.

FORM I

(See rule 3)

NOTICE OF THE PUBLIC PUBLICATION OF DRAFT REGIONAL PLAN

Notice is hereby given that the draft regional plan for.....area has been prepared in accordance with the provisions contained in Chapter-II of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) and a copy thereof is available for inspection at the following offices during office hours:—

- 1.
- 2.
- 3.
- 4.

The particulars of the said draft plan have been specified in the schedule below.

If there be any objection or suggestion with respect to the draft plan, it should be sent to the Director, Town and Country Planning Organisation, Himachal Pradesh, Simla, before the expiry of **sixty days** from the date of publication of this notice in the Rajpatra, Himachal Pradesh.

Any objection and suggestion which may be received in writing from any person before the expiry of the period specified above will be considered by the Director.

SCHEDULE

- (a) Existing land use map and its narrative report.
- (b) Narrative report explaining the provisions of the draft plan supported by the maps and charts.

Place.....
Date.....

*Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla-171001.*

FORM II

(See rule 5)

NOTICE OF THE APPROVAL OF THE REGIONAL PLAN

Notice is hereby given that the State Government has approved the regional plan for.....(area) under sub-section (1) of section 9 of Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) and a copy of the said plan may be inspected at the following offices during office hours, namely:—

- 1.
- 2.
- 3.
- 4.

2. The said regional plan shall come into operation with effect from

By order and in the name of the Governor of Himachal Pradesh.

*Secretary,
Government of Himachal Pradesh,
Town and Country Planning Orgn.*

FORM III

(See rule 6)

NOTICE OF THE MODIFICATION IN THE REGIONAL PLAN

It is hereby notified for public information under the proviso to sub-section (2) of section 9 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) that the State Government proposes to approve the draft regional plan for.....(area) submitted to it by the Director, Town and Country Planning, Himachal Pradesh, Simla, with modification as specified in the schedule below.

Any objections and suggestions with respect to the said modification may be submitted by any person to the State Government in writing within a period of thirty days from the date of publication of this notice in the Rajpatra, Himachal Pradesh and such objections or suggestions which may be received before the expiry of the period specified above will be considered by the State Government.

SCHEDULE

By order and in the name of the Governor of Himachal Pradesh.

Secretary,
Government of Himachal Pradesh,
Town and Country Planning Orgn.

FORM IV

(See rule 7)

NOTICE OF PUBLICATION OF EXISTING LAND-USE MAP

Notice is hereby given that the existing land-use map for..... (Planning Area) has been prepared under sub-section (1) of section 15 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) and a copy thereof is available for inspection during office hours in the offices of the Town and Country Planning Organisation, Himachal Pradesh, Town and Country Development Authority, if any and local authorities concerned.

If there be any objection or suggestion with respect to the existing land-use map so prepared, it should be sent in writing to the Director, Town and Country Planning Organisation, Himachal Pradesh, Simla within a period of thirty days from the date of publication of this notice in Rajpatra, Himachal Pradesh.

Any objection or suggestion which may be received from any person with respect to the said existing land-use map before the period specified above will be considered by the Director.

Place.....
Date.....

Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla.

FORM V

(See rule 8)

NOTIFICATION FOR APPROVAL OF INTERIM DEVELOPMENT PLAN

In exercise of the powers vested in him vide section 17(5) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) the Governor, Himachal Pradesh, is pleased to publish the Interim Development Plan.....for general information which has

been approved under section 17(4) of the aforesaid Act. It shall come into operation from the date of its publication in the Official Gazette. The plan can be inspected at the following places during the office hours:—

1.
2.
3.

*Secretary (T.P.) to the
Government of Himachal Pradesh.*

FORM VI

(See rule 8)

NOTICE OF PUBLICATION OF APPROVED INTERIM DEVELOPMENT PLAN

Notice is hereby given that the Interim Development Plan for..... (Planning Area) has been approved by the State Government under the provisions of sub-section (4) of section 17 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) as required by sub-section (5) of the said section, the same has been published *vide* notification No.....dated..... in the Rajpatra, Himachal Pradesh and a copy thereof is available for inspection at my office and.....during office hours.

Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla-171001.

Place.....
Date.....

FORM VII

(See rule 9)

NOTICE OF PUBLICATION OF DRAFT DEVELOPMENT PLAN

In pursuant to the powers conferred under sub-section (1) of section 19 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977), the draft development plan for..... (Planning Area) is hereby published and the notice is given that a copy of the said draft development plan is available for inspection at the following offices during the office hours:—

- 1.
- 2.
- 3.
- 4.

The particulars of the said draft plan have been specified in the schedule below.

If there be any objection or suggestion with respect to the said draft plan, it should be sent to the Director, Town and Country Planning, Himachal Pradesh, Simla, before the expiry of thirty days from the date of publication of this notice in the 'Himachal Pradesh Rajpatra'.

SCHEDULE

- (i) the existing land-use maps;
- (ii) a narrative report, supported by maps and charts, explaining the provisions of the draft development plan;
- (iii) the phasing of implementation of the draft development plan as suggested by the Director;

- (iv) the provisions for enforcing the draft development plan and stating the manner in which permission to development may be obtained;
- (v) an approximate estimate of the cost of land acquisition for public purposes and the cost of works involved in the implementation of the plan.

Director,

Place.....

Town and Country Planning Orgn.,

Date.....

Himachal Pradesh, Simla-171001.

FORM VIII

[See rule 10(1)]

Whereas the State Government in exercise of the powers vested in it under the sub-section (1) of section 20 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) the State Government proposes to approve the draft development plan for.....(Planning Area) submitted to it by the Director, Town and Country Planning Organisation, Himachal Pradesh, Simla, with modification specified in the schedule below.

Now, therefore, in exercise of the powers vested in him under sub-section (2) of section 20 of the said Act, the Governor of Himachal Pradesh is pleased to invite the public objections to the said modifications within a period of 30 days from the date of publication of this notification in the Rajpatra, Himachal Pradesh.

Any objection and suggestion with respect to the said modifications may be submitted by any person to the Secretary, Town and Country Planning Organisation, Himachal Pradesh, Simla-171002 in writing within the said period of thirty days and such objections and suggestions which may be received before the expiry of the period specified above will be considered by the State Government.

SCHEDULE

Secretary,

Government of Himachal Pradesh,

Town and Country Planning Orgn.

FORM IX

[See rule 10(2)]

NOTIFICATION AND NOTICE OF APPROVAL OF THE DEVELOPMENT PLAN

Whereas the State Government in exercise of the powers vested in it *vide* sub-section (1)/sub-section (3) of section 20 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) has approved the Development Plan for.....(Planning Area).

2. Now, therefore, in exercise of the powers vested in him *vide* sub-section (4) of the section 20 of the said Act, the Governor of Himachal Pradesh is pleased to publish the development plan as approved by the State Government and gives the notice that a copy of the said development plan may be inspected at the following offices during office hours, namely:—

- 1.
- 2.
- 3.
- 4.

3. The said development plan shall come into operation with effect from the date of the publication of this notification in the Rajpatra, Himachal Pradesh.

By order and in the name of the Governor of Himachal Pradesh.

Secretary,
Government of Himachal Pradesh.

Footnote.—Where the notification pertains to the development approved without modifications reference to sub-section (3) of section 20 may be omitted and in case the development is approved with modifications the reference to sub-section (1) of section 20 may be omitted.

FORM X

(See rule 12)

FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (1) OF SECTION 30 FOR DEVELOPMENT OF LAND

From

.....
.....
.....

To

The Director,
Town and Country Plg. Orgn.,
Himachal Pradesh, Simla-171001.

No.

dated

Sir,

I/We beg to apply for permission to undertake/carry out the development of the undermentioned land:

- (a) Description of land [location with name of road(s) on/off which the property abuts and boundaries].
- (b) Area.....sq. ft./sq. mtr.....Acres/
Hectares.

2. I/We attach herewith the following documents in triplicate, namely:—

- (i) Description of the land (location with the name of road(s) on/off which the property abuts and boundaries).
- (ii) Khasra Plan showing Nos. of land in question and also adjoining Khasra falling within 200 metres from the outer limit of the land. The land applied for is shown in 'red' in Khasra maps.
- (iii) Location plan indicating the land in question, main approach roads, important public buildings like hospital, school or cinema, petrol pump and the existing uses surrounding the land.
- (iv) The existing land-use is Residential/Commercial/Industrial/Public Purposes/Open Spaces/Vacant land.
- (v) A general report showing all development proposals with respect to land in question.
- (vi) A plan showing details of utilities and services like water supply, drainage, electricity, the septic tank is provided and is shown along with the disposal of sludge water.

- (vii) Other architectural details.
 (viii) A note indicating the type of development proposed namely residential, commercial or industrial.
3. The plans have been prepared by (.....) name of the Architect, Registration No..... (if any) address.....
4. I/We have deposited a fee of Rs... in accordance with the scale prescribed.

Yours faithfully,

Signature of the applicant(s)
 Address.....

FORM XI
 (See rule 12)

FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (1) OF SECTION 30 FOR DEVELOPMENT OF LAND

From

.....

To

The Director,
 Town and Country Planning Orgn.,
 Himachal Pradesh, Simla-171001.

Dated Simla-171001, the.....

Sir,

I/We beg to apply for permission to erect/re-erect/make addition and/or alterations to/undertake repairs to a building on piece of land measuring..... sq. metres..... over which I/we possess the necessary ownership rights, situate at..... street/Road, Ward No..... Block No..... Plot No..... Name of..... Scheme..... (if any).....

1. I/We attach in triplicate:—

- (a)sheet of plans, elevation and sections stated in the enclosed schedule;
 (b) a specification of the proposed building on the prescribed form.

2. The plans have been prepared by..... (Name) of registered Planner/Architect..... Registration No..... Address.....

3. I/We have deposited a fee of Rs..... in accordance with the scale..... prescribed in sub-rule (2) of rule

12 of the Himachal Pradesh Town and Country Planning Rules, 1978 made under sub-section (2) of section 30 of the Himachal Pradesh Town and Country Planning Act, 1977.

Yours faithfully,

.....
Signature of the applicant(s)
and address.....

SPECIFICATION SHEET

Specification of the proposed buildings—

1. Total plot area..... sq. m.
2. Total built up area..... Ground Floor
existing..... sq. m proposed.....sq' m.
3. The purpose for which it is intended to use the building.....
4. Specification to be used in construction of the—
(i) Foundation
(ii) Walls
(iii) Floors.....
(iv) Roofs.....
5. Number of storeys of which the building will consist.....
6. Approximate number of persons proposed to be accommodated
7. The number of latrines to be provided.....
8. Whether the site has been built upon before or not; if so, when did the previous building cease to be fit for occupation.....
9. Source of water to be used for building purposes.....

.....
Signature of applicant(s).

SCHEDULE

Plans:

1. Site Plan in 1:200 scale showing all drainage lines, sewage connection/or location or septic tank, seak pit and house drainage.
2. Building plans to the scale of 1:100 scale showing:—

<ol style="list-style-type: none"> (i) Ground floor plan (ii) Other floor plans (iii) Typical cross section (iv) Longitudinal section (v) Two elevations 	}	These drawings must be in the form of working drawing showing all the dimensions of rooms, openings, thickness of walls, roofs, flooring foundations and damp proof course.
---	---	---
3. Schedule of Area:
 Built up areasq. m.
 Open areasq. m.
 Total Plot Areasq. m.
4. Schedule of open spaces:
 Front set-backm.

Side set-backm.
Rear set-back.....m.

.....
Signature of Applicant (s).

FORM XII
(See rule 13)

**TOWN AND COUNTRY PLANNING ORGANISATION
HIMACHAL PRADESH, SIMLA**

ORDER

No..... Simla, Dated.....

To

Shri.....

.....
Subject.—Application for permission for development.

Ref.—Your application No..... dated.....

You are hereby granted permission under sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) to carry out the development works as mentioned in your application under reference subject to the following conditions, namely:—

1. Building permission shall be obtained from the Local Authorities concerned before the commencement of the development.
2. The Building operations shall be carried on strictly in accordance with the approved building plan.
3.
4.

Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla-171001.

No.....Simla, dated.....

Copy to:

1. The Chairman, Municipal Corporation/Municipal Committee
.....along with a copy of the approved plan for
information.
2. The Chairman, Town and Country Development Authority
.....along with a copy of the approved plan for
information.

Director,
Town and Country Planning Orgn.,
Himachal Pradesh Simla-171001.

FORM XIII

(See rule 14)

**TOWN AND COUNTRY PLANNING ORGANISATION
HIMACHAL PRADESH, SIMLA
ORDER**

No..... Simla, Dated.....

To
Shri.....

Sub.—Application for permission for development.

Ref.—Your application No..... dated.....

You are hereby informed that the permission to carry out the development works as mentioned in your application under reference is refused under clause (c) of sub-section (1) of section 31 of Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) on the grounds given below:—

- 1.
- 2.
- 3.
- 4.

*Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla-171001.*

FORM XIV

(See rule 16)

NOTICE

No.....

Dated.....

From
.....
.....

To
The Secretary
to the Government of Himachal Pradesh,
Simla-171002.

Sir,

I/We beg to submit that I/we am/are the owner(s) of land.....
designated as..... in the Development Plan published
vide Notice.....

1. the land has become incapable of reasonably beneficial use in its existing state, or
2. the land cannot be rendered capable or reasonably beneficial by carrying out the permitted development in accordance with the permission, or
3. the sale value has been diminished due to the reasons given below:
.....
.....

I/We pray that the Government may acquire the necessary interest in land in accordance with the provisions of sub-section (5) of section 35 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977).

Yours faithfully,

Encl.: as above.

.....
Signature of the applicant(s).

FORM XV

**TOWN AND COUNTRY PLANNING ORGANISATION
HIMACHAL PRADESH, SIMLA
ORDER**

No..... Dated Simla-1, the.....

Whereas permission under sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 to develop land was granted in favour of Shri..... vide this office order No..... dated.....;

And whereas it appears to the undersigned that it is expedient, having regard to the development plan prepared or under preparation and to other material considerations, that the permission to develop land should be revoked or modified;

Now, therefore, the undersigned in exercise of the powers vested in him vide sub-section (1) of section 37 hereby revoke/modify the permission to the extent as given below :

- 1.
- 2.
- 3.

*Chairman,
Town and Country Development Authority. ..*

Shri.....
.....
.....

FORM XVI

[See rule 18 (4)]

**TOWN AND COUNTRY PLANNING ORGANISATION
HIMACHAL PRADESH, SIMLA
ORDER**

No..... Dated Simla-1, the.....

Whereas a claim under sub-section (2) of section 37 for revocation or modification of permission to development of land was filed before the undersigned by Shri..... on dated.....

And whereas the said claim was sent to the Town Planning Officer for adjudication and giving his report after affording the owner(s) reasonable opportunity of being heard qua the claim;

And whereas the report of the Town Planning Officer has been received and duly considered;

Now, therefore, the undersigned in exercise of the powers vested in him, under sub-section (2) of section 37, hereby assess and award an amount of Rs..... in favour of Shri..... in respect of his aforesaid claim.

*Chairman,
Town and Country Development Authority.*

Shri.....
.....
.....

FORM XVII

(See rule 19)

From

.....
.....
.....

To

The Director,
Town and Country Planning Orgn.,
Himachal Pradesh, Simla-1.

Sub:

Ref.—Your No..... dated.....

Sir,

With reference to your notice referred to above I/we beg to submit that I/we may kindly be granted permission under sub-section (3) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (12 of 1977) for retention on the land of..... building or works.....
.....or continuance of the use of land for.....
purpose.

2. The reason for retention on the land are as follows:—

.....
.....—.....

Place.....

Date.....

Yours faithfully,

.....
Applicant(s).

FORM XVIII

[See rule 20 (1)]

**TOWN AND COUNTRY DEVELOPMENT AUTHORITY
NOTICE**

It is hereby declared and published for the information of the general public under sub-section (2) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977), that the.....

Town and Country Development Authority intends to prepare Town Development Scheme for.....

*Town and Country Development Authority,
Himachal Pradesh.*

Place.....
Date.....

FORM XIX
[See rule 20 (2)]

**NOTICE OF PUBLICATION OF DRAFT TOWN DEVELOPMENT
SCHEME**

Notice is hereby given that a Draft Town Development Scheme has been prepared for the area..... under sub-section (3) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977), and a copy thereof is available for inspection during office hours in the office of—

- 1.
- 2.
- 3.

Any objection or suggestion which may be received in writing from any person(s) likely to be affected thereby within 30 days of the publication of this notice in the Himachal Pradesh Rajpatra will be considered by the Town and Country Development Authority after having been given him/ them an opportunity of being heard in person if he/they so desire.

*Chairman,
Town and Country Dev. Authority,
Himachal Pradesh.*

Place.....
Date.....

FORM XX
[See rule 20 (2)]

TOWN AND COUNTRY DEVELOPMENT AUTHORITY

The Town Development Scheme for the area..... as approved under sub-section (4) by the committee constituted under sub-section (5) of section 52 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) is hereby published for the information of the general public and copies of the said scheme are available for inspection during office hours at the following offices, namely:—

- 1.
- 2.
- 3.

The said Town Development Scheme shall come in operation with effect from.....

Place...:
Date.....

*Chairman,
Town and Country Development Authority,
Himachal Pradesh.*

FORM XXI
[See rule 22 (1)]

NOTICE UNDER SUB-SECTION (1) OF SECTION 62 OF HIMACHAL
PRADESH TOWN AND COUNTRY PLANNING ACT, 1977
(NO. 12 OF 1977)

1. It is hereby notified and declared for information of general public that the Town Development Scheme for..... has been completed.

2. The Town and Country Development Authority intends to levy development charges (as per schedule given below) in the..... areas affected by the scheme adjacent to it.

3. The owner(s) of land falling within the aforesaid area are liable to pay the development charges specified under para above.

4. The objections, if any, in this behalf, are invited by the undersigned by..... date (not later than 30 days from the date of publication of this notice).

SCHEDULE

Sl. No.	Name of Owner	Original Plot		Incremental value effected due to implementation of scheme	Incremental difference in value col. 1, 4, 5]	Amount payable by plot owner as developmental charges	Remarks
		Area	Value				
1	2	3	4	5	6	7	8

Place.....
Date..... Town and Country Development Authority,
Himachal Pradesh.

FORM XXII
[See rule 22 (2)]

TOWN AND COUNTRY DEVELOPMENT AUTHORITY

To
Shri.....s/o Shri.....

Your landed property bearing khasra No..... Property Nos..... of village/town is affected by Town Development Scheme..... of this Authority. You are hereby given notice under sub-section (4) of

section 62 of the Himachal Pradesh Town and Country Planning Act, 1977 (No. 12 of 1977) that the development charges of Rs. have been assessed to be due from you. You are hereby called upon to deposit the development charges as mentioned above with the Town and Country Development Authority..... within a period of 30 days from the date of receipt of this notice.

.....
Chairman,
Town and Country Development Authority,
Himachal Pradesh.

FORM XXIII
[See rule 23 (ix)]
APPLICATION

Application for..... per cent debenture(s) issued by the
Town and Country Development Authority year..... 19 ..

Broker's Stamp to be
affixed here.

To

The Chairman,
Town and Country Development Authority,
Himachal Pradesh.

Dear Sir,

I/We hereby apply for the debentures of the
face value of Rs. of the above issue and tender cash/
cheque/draft for Rs. for the purchase of.....
per cent, Town and Country Development Authority, debentures.....
of the nominal value of Rs. The debentures may kindly
be issued to me/us in the denomination stated below:—

- *Debentures of Rs.(Rupees.....)
- *Debentures of Rs.(Rupees.....)
- *Debentures of Rs.(Rupees.....)
- *Debentures of Rs.(Rupees.....)

Yours faithfully,

.....
(Signatures)

Name/Names of applicant(s)
in full (in Block letters).....
Full address (in block letters).....
Dated.....

*To be given in the figures and words.

Note.—(1) The debentures will be issued in the denominations of
Rs. 100, Rs. 500, Rs. 1,000, Rs. 5,000, Rs. 10,000,
Rs. 25,000, Rs. 50,000, Rs. 1,00,000 and Rs. 5,00,000.

(2) If the applicant's signature is by thumb marks, it should
be witnessed by two persons. The full names, occupations

and addresses of the witnesses should be appended to their signatures.

- (3) If the application is made in the name of a registered body excepting trusts, the undernoted documents, if not already registered at the Public Debt Office, should be enclosed with the investment application:—

- (i) Certificate of Registration Incorporation;
- (ii) Memorandum and Articles of Association or a certified copy of the Rules and Regulations, Bye-Laws of the body/company;
- (iii) Certified copy of the resolution in favour of the person(s) authorised to deal in Government securities on behalf of the body/company.

Application Receipt

.....per cent Town and Country Development Authority
 Debentures.....Received from Shri/Shrimati/Messrs.....
the sum of Rs..... (Rupees.....)
 by cash/cheque/draft subject to realisation being application money for
 the above-mentioned debentures.

Town and Country Development Authority.

(Signature and designation of the Officer receiving money).

N.B.—This receipt must be carefully preserved to be surrendered to the Authority duly discharged at the time of taking delivery of debentures.

By order,
 B. C. NEGI,
Secretary.

